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Attorney for Raymond Zakhari

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

Barkley & Associates, Inc.,  
a California corporation,

Plaintiff,

v.

Raymond Zakhari, an individual,  
Zeyad Asayed, an individual,  
Ayman Asayed, an individual,  
and DOES 1-20,

Defendants.

Case No. 2:24-cv-3645

**DEFENDANT RAYMOND  
ZAKHARI'S ANSWER TO  
PLAINTIFF'S COMPLAINT FOR:**

**(1) TRADEMARK  
INFRINGEMENT [15 U.S.C.  
§ 1114]**

**(2) TRADEMARK  
COUNTERFEITING [15  
U.S.C. § 1117(B)]**

**(3) COPYRIGHT  
INFRINGEMENT [17 U.S.C  
§§ 101 ET SEQ.]**

**(4) (4) LANHAM ACT UNFAIR  
COMPETITION [15 U.S.C. §  
1125(A)]**

**(5) COMMON LAW  
TRADEMARK  
INFRINGEMENT**

**(6) UNFAIR BUSINESS  
PRACTICES [CAL. BUS. &  
PROF. CODE § 17200]**

**DEMAND FOR JURY TRIAL**

1 Defendant Raymond Zakhari (“Zakhari”) hereby submits its Answer to  
2 Plaintiff’s Complaint. Defendant responds to each paragraph of the Complaint as  
3 follows:  
4

5 Except as hereinafter admitted, qualified, or otherwise answered,  
6 Defendant denies each and every allegation and assertion made in the Complaint.  
7

8 **FIRST CLAIM FOR RELIEF – TRADEMARK INFRINGEMENT**

9 **[15 U.S.C. § 1114]**

10 **A. SUBJECT MATTER JURISDICTION**

11  
12 1. Denied, except Defendant admits that the Court has subject matter  
13 jurisdiction over the claims under the federal Lanham Act, 15 U.S.C. § 1051 et  
14 seq., pursuant to 28 U.S.C. §§1331 and 1338(a).  
15

16 Defendant is without knowledge or information sufficient to form a belief as  
17 to the truth of the allegations of the first and second sentences of paragraph 1 of the  
18 Complaint  
19

20 **B. THE PARTIES**

21 2. Defendant is without knowledge or information sufficient to form a belief  
22 as to the truth of the allegations of paragraph 2 of the Complaint.  
23

24 3. Defendant is without knowledge or information sufficient to form a belief  
25 as to the truth of the allegations of paragraph 3 of the Complaint.  
26

27 **C. PERSONAL JURISDICTION AND VENUE**

28 4. Denied.

1 5. Denied.

2 6. Denied.

3  
4 7. Defendant is without knowledge or information sufficient to form a belief  
5 as to the truth of the allegations of paragraph 7 of the Complaint.

6 **D. FACTS**

7  
8 8. Defendant is without knowledge or information sufficient to form a belief  
9 as to the truth of the allegations of paragraph 8 of the Complaint.

10 9. Defendant is without knowledge or information sufficient to form a belief  
11 as to the truth of the allegations of paragraph 9 of the Complaint.

12 10. Defendant is without knowledge or information sufficient to form a  
13 belief as to the truth of the allegations of paragraph 10 of the Complaint.

14 11. Denied.

15 12. Denied.

16 13. Denied.

17 14. The complaint omits a paragraph 14.

18 15. The complaint omits a paragraph 15.

19 16. Defendant does not know Zeyad Asayed or Ayman Asayed and is  
20 therefore without knowledge or information sufficient to form a belief as to the  
21 truth of the allegations of paragraph 16 of the Complaint.

22 17. Denied.

23 18. Denied.

1 19. Denied.  
2 20. Denied.  
3  
4 21. Denied.  
5 22. Denied.  
6 23. Denied.  
7  
8 24. Denied.  
9 25. Denied.  
10 26. Denied  
11  
12 27. Denied.  
13 28. Denied.  
14 29. Denied.  
15  
16 30. Denied.  
17 31. Denied.  
18 32. Denied.  
19  
20 33. Denied.  
21 34. Denied.  
22 35. Denied.  
23  
24 36. Denied.  
25 37. Denied.  
26 38. Denied.  
27  
28 39. Denied.

1           40. Defendant is without knowledge or information sufficient to form a  
2 belief as to the truth of the allegations of paragraph 40 of the Complaint.

3  
4           41. Defendant is without knowledge or information sufficient to form a  
5 belief as to the truth of the allegations of paragraph 41 of the Complaint.

6           42. Denied.

7  
8           43. Denied.

9           44. Denied.

10          45. Denied.

11  
12          46. Defendant is without knowledge or information sufficient to form a  
13 belief as to the truth of the allegations of paragraph 46 of the Complaint.

14          47. Defendant is without knowledge or information sufficient to form a  
15 belief as to the truth of the allegations of paragraph 47 of the Complaint.

16  
17          48. Denied.

18          49. Denied.

19          50. Denied.

20          51. Denied.

21          52. Denied.

22          53. Denied.

23          54. Denied.

24          55. Denied.

25          56. Denied.

**SECOND CLAIM FOR RELIEF – FEDERAL TRADEMARK  
COUNTERFEITING [15 U.S.C. § 1117(b)]**

57. Responding to the allegations set forth in Paragraph 57 of the Complaint, Defendant incorporates by reference the preceding paragraphs as though fully set forth herein.

58. Denied.

59. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 58 of the Complaint.

60. Denied.

61. Denied.

62. Denied.

63. Denied.

64. Denied.

65. Denied.

**THIRD CLAIM FOR RELIEF - COPYRIGHT INFRINGEMENT**

**[17 U.S.C. § 501]**

66. Responding to the allegations set forth in Paragraph 66 of the Complaint, Defendant incorporates by reference the preceding paragraphs as though fully set forth herein.

67. Denied.

1           68. Defendant is without knowledge or information sufficient to form a  
2 belief as to the truth of the allegations of paragraph 68 of the Complaint.

3  
4           69. Defendant is without knowledge or information sufficient to form a  
5 belief as to the truth of the allegations of paragraph 69 of the Complaint.

6  
7           70. Defendant is without knowledge or information sufficient to form a  
8 belief as to the truth of the allegations of paragraph 70 of the Complaint.

9           71. Defendant is without knowledge or information sufficient to form a  
10 belief as to the truth of the allegations of paragraph 71 of the Complaint.

11  
12           72. Denied.

13           73. Denied.

14           74. Denied.

15           75. Denied.

16           76. Denied.

17           77. Denied.

18           78. Denied.

19           79. Denied.

20           80. Denied.

21           81. Denied.

22  
23  
24  
25  
26           **FOURTH CLAIM FOR RELIEF FALSE DESIGNATION OF ORIGIN**  
27  
28

**UNFAIR COMPETITION [15 U.S.C. § 1125(A)]**

82. Responding to the allegations set forth in Paragraph 82 of the Complaint, Defendant incorporates by reference the preceding paragraphs as though fully set forth herein.

83. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 83 of the Complaint.

84. Denied.

85. Denied.

86. Denied.

87. Denied.

88. Denied

89. Denied.

90. Denied.

91. Denied.

92. Denied.

93. Denied

94. Denied

**FIFTH CLAIM FOR RELIEF – COMMON LAW TRADEMARK  
INFRINGEMENT [CALIFORNIA COMMON LAW]**

95. Responding to the allegations set forth in Paragraph 95 of the



1 Complaint, Defendant incorporates by reference the preceding paragraphs as  
2 though fully set forth herein.

3  
4 96. Defendant is without knowledge or information sufficient to form a  
5 belief as to the truth of the allegations of paragraph 83 of the Complaint.

6 97. Denied.

7  
8 98. Denied.

9 99. Denied.

10 100. Denied.

11 101. Denied.

12 102. Denied.

13 103. Denied.

14 104. Denied

15 105. Denied.

16 106. Denied.

17 107. Denied.

18 108. Denied.

19 109. Denied

20 110. Denied

21 111. Denied.

22 112. Denied

23 113. Denied

**SIXTH CLAIM FOR RELIEF - UNFAIR BUSINESS PRACTICES**

**[CAL. BUS. & PROF. CODE § 17200]**

114. Responding to the allegations set forth in Paragraph 114 of the Complaint, Defendant incorporates by reference the preceding paragraphs as though fully set forth herein.

115. Denied.

116. Denied.

117. Denied.

118. Denied.

119. Denied.

120. Denied.

121. Denied.

122. Denied.

123. Denied

124. Denied.

125. Denied.

**First Affirmative Defense**

The Complaint fails, in whole or in part, to state a claim upon which relief can be granted.

**Second Affirmative Defense**

Plaintiff is barred from asserting any claims because the Court does not have personal jurisdiction.

**Defenses Reserved**

Defendant hereby gives notice that it intends to rely upon any other defenses that may become available or apparent during discovery in this matter and reserves the right to amend this Answer

**PRAYER FOR RELIEF**

WHEREFORE, Defendant respectfully requests that the Court enter a judgment:

1. Dismissing Plaintiff's claims with prejudice and on the merits;
2. Awarding Defendant its costs of the suit herein;
3. Awarding Defendant such attorney's fees as may be allowed by applicable law; and
4. Awarding Defendant such other relief as the Court may deem just and equitable under the circumstances.

**Jury Demand**

Defendant hereby demands a trial by Jury.

1 Dated: June 17, 2024

*Omero Banuelos*

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3 Omero Banuelos  
4 Attorney for Defendant  
5 Raymond Zakhari  
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NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY(S)  
OR OF PARTY APPEARING IN PRO PER  
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415 W. Foothill Blvd., Suite 202  
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ATTORNEY(S) FOR: Raymond Zakhari

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

Barkley & Associates, Inc.,  
a California corporation

Plaintiff(s),

CASE NUMBER:

2:24-cv-3645

v.  
Raymond Zakhari, an individual,  
Zeyad Asayed, and individual,  
Ayman Asayed, an individual

Defendant(s)

**CERTIFICATION AND NOTICE  
OF INTERESTED PARTIES  
(Local Rule 7.1-1)**

TO: THE COURT AND ALL PARTIES OF RECORD:

The undersigned, counsel of record for Raymond Zakhari  
or party appearing in pro per, certifies that the following listed party (or parties) may have a pecuniary interest in  
the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification  
or recusal.

(List the names of all such parties and identify their connection and interest. Use additional sheet if necessary.)

PARTY	CONNECTION / INTEREST
Barkley & Associates, Inc., a California corporation	Plaintiff
Raymond Zakhari	Defendant
Zeyad Asayed	Defendant
Ayman Asayed	Defendant

06/17/2024

Date

Omero Banuelos

Signature

Attorney of record for (or name of party appearing in pro per):

Raymond Zakhari

**PROOF OF SERVICE**

I, M'Lee Munoz, am over the age of 18 and not a party to this action. My place of business is 415 W. Foothill Blvd, Suite 202, Claremont, CA 91711. On June 17, 2024, I served the following documents:

**DEFENDANTS' ANSWER TO COMPLAINT**

on the person(s) listed below in the following manner/s:

	<b>BY UNITED STATES CERTIFIED MAIL WITH RETURN RECEIPT.</b> I enclosed the documents in a sealed envelope or package addressed to the person(s) at the addresses below and placed the envelope for collection and certified mailing with return receipt following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing documents for mailing. On the same day that correspondence is placed for collection and certified mailing with return receipt, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
	<b>BY NEXT DAY DELIVERY.</b> I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the person(s) at the addresse(s) below and placed the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing documents for overnight delivery. On the same day that correspondence is placed for collection and overnight delivery, it is deposited in the ordinary course of business with an overnight delivery service in a sealed envelope with all fees fully prepaid.
X	<b>BY ELECTRONIC MAIL.</b> I sent the persons below copies of the documents via electronic mail at the email addresses below.

The following parties were served the above-referenced documents:

Brian Tamsut  
[btamsut@socalip.com](mailto:btamsut@socalip.com)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: June 17, 2024

/s/ M'Lee Munoz  
M'Lee Munoz